

NEW PUBLICATIONS.

THE LAW OF EVIDENCE. By THOMAS STARKIE, With Notes by GEORGE SHAWSBROOK. 8vo. pp. 836. T. & J. W. Johnson & Co.

The popularity of Starkie's celebrated treatise on Evidence is proved by the demand which has called out four editions of that work in England and more than twice as many in this country; the present, which is the tenth, is founded upon the fourth English edition, and embraces besides the original text and notes of the author, and the numerous annotations of a successive English editor, also the notes of the former American editors, among whom was Theron Metcalf, and the copious notes and references to the latest American cases prepared and collected by Judge Shawbrook. The present edition follows the general plan of its immediate predecessor, annotated by the same editor, but incorporates into the notes references to the decisions which have accumulated during the interval between the two publications (a period of seven years), and one remarkably prolific of law reports, besides gathering up those decisions of any importance which had been omitted in the earlier editions. Of the merits of Starkie on Evidence it is entirely superfluous to speak at this day. It has been for many years before the profession, and too favourably known, to require commendation now, or make criticism even tolerable. It is a text-book in the proper and best sense of that term, and a standard authority. Upon the labours of the present editor it is almost equally as unnecessary to comment. His reputation as a scholar and jurist, the learning and judgment displayed in his scholia on the commentaries of Blackstone, excite and justify the expectation that his exegetical work upon a subject like that of the common law of evidence will have had the fullest illustration and painstaking care, and will satisfy every requirement either of the student or practitioner. The promise thus made is fully fulfilled in this volume. The general scope of the work so presents the elementary principles by which the admissibility of the evidence to prove matters of fact is governed, an enumeration of the different instruments of evidence, the application of these principles and instruments to the purposes of proof, the force and effect of evidence, and lastly the evidence essential to the proof of particular issues. Under these ample topics are gathered into appropriate groups whatever there is of value touching the general subject in the reports. The original and the later English citations are by a happy mode of arrangement easily distinguished from each other, and both of them from the American citations, so that almost at a glance the growth of a rule of evidence, the modifications it has undergone in the country of its birth, and the changes which have been found necessary or desirable upon its adoption into our system of jurisprudence, may be without difficulty traced. The references to the decisions of this and the other American States are abundant, and in frequent instances are more than mere citations, as they stand with fullness the decided cases.

CHASE'S DECISIONS. 8vo. pp. 637. Dwyer & Co.

This volume contains the reports of cases decided by Genl.-Justice Chase in the United States Circuit Court for the Fourth Circuit, during the years 1865 to 1869 inclusive, in the districts of Maryland, Virginia, North Carolina, and South Carolina. The opinions received the careful revision and correction of the Chief Justice shortly before his decease, and were undergoing the editorial supervision of Bradley T. Johnson of the Virginia Bar, who, with the Chief-Justice's sanction and encouragement, formed, soon after the Court resumed its sittings, the intention of reporting its proceedings. The period and locality of these decisions, the character of the Court, the eminence of the Judge who presided, the novelty of the questions which came before it, combine to render Mr. Johnson's publication one of the most valuable of recent years to the publicist as well as the legal profession. Many of the cases involved novel and grave questions of constitutional law, the construction of the recent amendments of the Federal Constitution, the effect upon contracts and civil rights of the legislation of the Confederate States and the acts of its military power, and to these subjects the Chief-Justice brought his profound and accurate knowledge of public law, his strong intellect, and clear perception of principles, with a result which has satisfied later critics. The volume contains among other important reports, the arguments of counsels and the decisions of the Court in the case of Jeffers v. Davis, with a very careful historical recital of the events, military and civil, affecting his status as a State prisoner, from the time of his capture by Federal cavalry to his final discharge; the cases of Sheridans, agt. Macen, and Kappel agt. Rathbord, which defined the character of the government organized by the rebelling Sates, and the effects of its enactments upon preexisting civil obligations; and the much discussed case of the Lulu, determining the home port of a vessel with respect to a material man's right to a home for supplies. In an appendix, with a view of exhibiting the vigor and vitality which characterized the legislation of the Confederate States, and the force of the claims of citizens that these proceedings should be treated upon well-settled principles of public law, as the valid acts of an actual though he ne'er quered government, the reporter has added its Constitution, and the Conscription, Imprisonment, and Sequestration acts of the Confederate Congress.

THE CATHOLIC WORLD.

A paper in this number on the "Catholic Church in the United States" presents a singularly disengaging view of the American national character. This has little to please the fancy or fire the imagination. We are a commonplace, mediocre people. We have no high ideals, no lofty aspirations, no excellent standards of worth and character. In philosophy, in science, in literature, in art, we are inferior to the nations of Europe. No predominantly great mind has appeared among us. Our abler thinkers are the disciples of some foreign master. Our poets, whenever they attempt a flight above smooth and polished verse, are as dull and monotonous as a Western prairie. Our most popular heroes, Washington and Lincoln, are but common men. The best man is he who has the least talent of democracy. How far the judgment of the writer is from the class of the American population, with which as a Catholic he is most familiar, we are unable to say, but if his assertions are true of the great body of the American people, the Declaration of Independence must be pronounced a failure, and the contributions of the Confederacy to the cause of man, glorious as they were, must be regarded as vain-victories swayed by the hand of God.

A century of sunrise hath bowed
Its folgest forehead 'neath the sun-shade,
Since first upon the earth it did descend.
Look, how the light doth glancing through the cloud
A new-born nation stood, to freedom vowed:

With that time how many an Empire fair
And young Republic, flush'd with wealth and war,
Alike have blazed, like the sun in his noon-day,
To meet their birth's first blod.'t' O tempest-tost!

For these what fate! I know not. This I know—
The son's great redoubts, of gifts the first—
The first on man in all the world, the last—
Lies dead in God's church, with three found rest;

His future's hope is she—that quietly lies.

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